

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

FILED BY *Ry* D.C.
05 JUL -1 AM 10:49
THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W/D OF TN. MEMPHIS

LOU HENRY M. LOCKETT, III,

Plaintiff,

v.

No. 05-2100 B

ACTION ORNAMENTAL IRON,

Defendant.

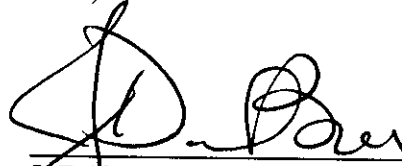
ORDER DENYING WITHOUT PREJUDICE DEFENDANT'S MOTION TO DISMISS

Before the Court is the motion of the Defendant, Action Ornamental Iron, to dismiss the Plaintiff's complaint pursuant to Rules 12(a) and (b) of the Federal Rules of Civil Procedure. In its entirety, the motion states as follows: "Comes now the Defendant, Action Ornamental Iron, pursuant to Rule 12(a) (b) [sic] and moves this honorable Court dismiss this cause of action on the grounds that it fails to state a claim upon which relief can be granted." (Mot. to Dismiss at 1.) The local rules of this district require that "motions in civil cases [be] accompanied by a supporting memorandum of facts and law" and "shall contain a brief statement of its bases." LR7.2(a)(1), Local Rules of the U.S. Dist. Ct. for the W.D. of Tenn. The Defendant's filing falls far short of compliance with the Rule. Clearly, it is the job of Defendant's counsel, not the Court, to peruse the Plaintiff's complaint and fashion an argument for dismissal to be presented to the Court for determination.

Accordingly, the motion is DENIED without prejudice.

8

IT IS SO ORDERED this 30th day of June, 2005.



J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 8 in case 2:05-CV-02100 was distributed by fax, mail, or direct printing on July 1, 2005 to the parties listed.

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Honorable J. Breen
US DISTRICT COURT